



L. Barbee Ponder IV
General Counsel & Vice President Regulatory Affairs

August 2, 2013

Mignon Clyburn
Chairwoman
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Re: *Globalstar, Inc. Petition for Rulemaking to Reform the Commission's
Regulatory Framework for Terrestrial Use of the Big LEO MSS Band –
RM-11685
Ex Parte Letter*

Dear Chairwoman Clyburn:

The Bluetooth Special Interest Group ("Special Interest Group") makes a startling proposal in its August 1, 2013 *ex parte* letter in the above-captioned proceeding.¹ Though cloaked in the euphemism of a "safe haven,"² the Special Interest Group asks the Federal Communications Commission ("Commission") to grant exclusive, albeit unlicensed, use of 10.5 megahertz of Industrial, Scientific and Medical ("ISM") band spectrum to a select group of businesses. The Special Interest Group would have the Commission block new uses of this ISM spectrum at 2473-2483.5 MHz, such as Globalstar's proposed Terrestrial Low-Power Service ("TLPS").³ Globalstar's innovative, 802.11-based TLPS promises to alleviate the worsening Wi-Fi "Traffic Jam" and also deliver robust public safety benefits, since TLPS hotspots can provide post-disaster broadband and voice communications to citizens in affected areas who otherwise lack access to communications services.⁴

¹ Letter from Mark Powell, Bluetooth Special Interest Group, to Chairwoman Mignon Clyburn, FCC, RM-11685 (Aug. 1, 2013) ("Special Interest Group Letter").

² Special Interest Group Letter at 1.

³ Petition for Rulemaking of Globalstar, Inc., RM-11685 (Nov. 13, 2012) ("Petition").

⁴ See Petition at 22; Arik Hesseldahl, *After Sandy, Wi-Fi Becomes Precious Commodity*, ALL THINGS D, Oct. 31, 2012, available at: <http://allthingsd.com/20121031/after-sandy-wi-fi-becomes-precious-commodity/?reflink=ATD_yahoo_ticker>. See also Strixsystems Case Study, *WiFi Mesh for Public Safety*, available at: <<http://www.strixsystems.com/cswifimeshforpublicsefety.aspx>> (viewed Nov. 7, 2012) ("The public safety and

As Globalstar has previously described, Bluetooth technology will be able to coexist with TLPS at 2473-2483.5 MHz.⁵ This band segment represents just one small portion of the unlicensed ISM spectrum that is utilized by Bluetooth technology, and TLPS operations are no more likely to cause harmful interference to a Bluetooth device than already-existing 802.11-based Wi-Fi operations elsewhere in the unlicensed ISM band. The Special Interest Group has itself recognized the ability of the 2.4 GHz ISM spectrum to support multiple unlicensed uses, referencing studies that confirm that this band is “unique due to the implemented coexistence measures between technologies in the band (*e.g.* Bluetooth and Wi-Fi).”⁶ One such study states that, due to the coexistence of different technologies in the band, “the aggregate spectral efficiency of the 2.4 GHz band is at least 30 times greater than the overall efficiency of any cellular band.”⁷ Globalstar agrees with the Special Interest Group that reversing course and dedicating the 2473-2483.5 MHz band to a single unlicensed use would be “very disruptive,”⁸ not only to Globalstar’s development of TLPS but also to other future innovative uses of this unlicensed spectrum.

Globalstar acknowledges and appreciates the benefits of Bluetooth technology, but granting exclusivity to any firm’s operations within the ISM band would be a policy mistake and contrary to Part 15 of the Commission’s rules, which makes clear that unlicensed services do not enjoy protection from interference from other licensed or unlicensed operations.⁹ Certainly, the Commission should reject the Special Interest Group’s demand that this unlicensed 10.5 megahertz at 2473-2483.5 MHz be forever preserved as a “safe haven” for its members’ exclusive use. Bluetooth can and should coexist with other unlicensed use in this 10.5 megahertz just as it continues to coexist with other unlicensed use (including Wi-Fi) in the other approximately 70 megahertz of the ISM band.

Accordingly, the Federal Communication Commission should reject the Special Interest Group’s dilatory tactics and expeditiously launch a notice of proposed rulemaking to increase the nation’s Wi-Fi capacity substantially, relieve

emergency services communities require the use of broadband WiFi mesh networking for ‘always available’ high-speed connectivity to people, video surveillance cameras, strategic and tactical equipment, databases and much more.”).

⁵ See Consolidated Reply of Globalstar, Inc., RM-11685, at 13 n. 29 (Jan. 29, 2013).

⁶ Comments of Bluetooth Special Interest Group, RM-11685, at 3 (Jan. 14, 2013) (“Special Interest Group Comments”) (citing Richard Thanki, *The Economic Significance of License-Exempt Spectrum to the Future of the Internet* (June 2012)).

⁷ Special Interest Group Comments at 3.

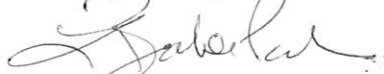
⁸ *Id.*

⁹ 47 C.F.R. § 15.5(b).

existing congestion, and deliver all of the other public benefits provided in Globalstar's Petition for Rulemaking.

Pursuant to section 1.1206(b) of the Commission's rules,¹⁰ this *ex parte* letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Barbee Ponder IV", written over the typed name.

L. Barbee Ponder IV
General Counsel & Vice President Regulatory
Affairs

¹⁰ 47 C.F.R. § 1.1206(b).